

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Chavis Orlando Whitley**

**Docket No. 5:10-CR-47-1BO**

**Petition for Action on Supervised Release**

COMES NOW John Seth Coleman, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Chavis Orlando Whitley, who, upon an earlier plea of guilty to Carrying a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c)(1), and Possession With Intent to Distribute More Than 5 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Terrence W. Boyle, Chief United States District Judge, on May 6, 2011, to the custody of the Bureau of Prisons for a term of 262 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On July 28, 2015, Pursuant to 18 U.S.C. § 3582(c)(2), the defendant's previously imposed sentence of imprisonment was reduced from 262 months to 118 months. Chavis Orlando Whitley was released from custody on November 01, 2018, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On November 5, 2018, the defendant submitted a urine sample that was returned positive for marijuana. Prior to giving the sample, the defendant admitted to smoking marijuana on or about October 22, 2018, prior to his release from custody. On November 15, 2018, while attempting to contact the defendant at his address of record, and while speaking with an unknown female, the U.S. Probation Officer noted the strong odor of marijuana coming from inside the defendant's residence. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that the conditions of supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant must undergo drug testing, including but not limited to urinalysis.
3. The defendant shall consent to a warrantless search by a United States probation officer or, at the request of the probation officer, any other law enforcement officer, of his/her, person and premises, including any vehicle, to determine compliance with the conditions, of this judgment.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Eddie J. Smith

Eddie J. Smith

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ John Seth Coleman

John Seth Coleman

U.S. Probation Officer

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Executed On: November 26, 2018

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ORDER OF THE COURT

Considered and ordered this 26 day of November, 2018, and ordered filed and made a part of the records in the above case.

  
Terrence W. Boyle  
Chief United States District Judge